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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MYRIAM ZAYAS,

11 Plaintiff,

12 v.

13 DEPARTMENT OF CHILDREN,
14 YOUTH & FAMILIES, et al.,

15 Defendants.

CASE NO. C20-0981JLR-TLF

ORDER ADOPTING REPORT
AND RECOMMENDATION

16 This matter comes before the court on the Report and Recommendation of United
17 States Magistrate Judge Theresa L. Fricke (R&R (Dkt. # 38)) and the objections thereto
18 filed by Plaintiff Myriam Zayas (Obj. (Dkt. # 39)). Ms. Zayas is proceeding pro se in this
19 matter. (*See generally* Dkt.) Magistrate Judge Fricke recommends to the court that it
20 deny Ms. Zayas's motion to join her son as a plaintiff in this matter. (*See generally*
21 R&R; *see also* Mot. (Dkt. # 33).) Defendants Shea Hopfauf and Jamia McRae
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1 (collectively, “Defendants”)¹ have responded to Ms. Zayas’s objections. (Resp. (Dkt.
2 # 45).)

3 The court referred Ms. Zayas’s motion for joinder to Magistrate Judge Fricke
4 pursuant to 28 U.S.C. § 636(b)(1)(A) and Local Rules W.D. Wash. MJR 3. (*See* Ref.
5 Order (Dkt. # 36).) Therefore, the court’s consideration of Ms. Zayas’s objections is
6 governed by Federal Rule of Civil Procedure 72(a), which provides that the district court
7 “must consider timely objections” to the Magistrate Judge’s decision on a nondispositive
8 pretrial matter and “modify or set aside any part of the order that is clearly erroneous.”
9 Fed. R. Civ. P. 72(a); (*see* Ref. Order at 1). Having considered Magistrate Judge Fricke’s
10 Report and Recommendation, Ms. Zayas’s objections, Defendants’ response, the relevant
11 portions of the record, and the applicable law, the court finds that Magistrate Judge
12 Fricke’s Report and Recommendation denying Ms. Zayas’s motion for joinder is not
13 “clearly erroneous or contrary to law.” Fed. R. Civ. P. 72(a); *Grimes v. City & Cty. of*
14 *San Francisco*, 951 F.2d 236, 240 (9th Cir. 1991). Therefore, the court DENIES Ms.
15 Zayas’s objections (Dkt. # 39); ADOPTS Magistrate Judge Fricke’s Report and
16 Recommendation (Dkt. # 38); and DENIES Ms. Zayas’s motion for joinder (Dkt. # 33).

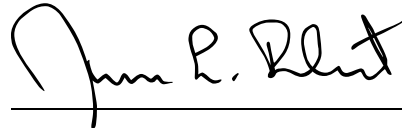
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21 ¹ Ms. Zayas voluntarily dismissed her claims with prejudice against Defendants Department
22 of Children, Youth & Families; Kejana Black; and Lonette Dominguez. (*See* 10/19/20 Order (Dkt
30).)

1 Dated this 8th day of February, 2021.

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4 JAMES L. ROBART
5 United States District Judge
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